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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,058

Applicant(s)

PAULIKS ET AL.

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-15,17-27 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-15,17-27 and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has filed Declaration Under 37 CFR 1.131 on 10/14/2004. Claims 1-5, 7-15, 17-27 and 29-32 are pending in this Office Action.

Applicants declared that the patent application prior to October 29, 2001 and then worked on diligently reducing the invention to practice in the United States prior to 10/29/2001. However, the prior art of record Jenkins has priority date based on provisional application on 10/27/2000. Thus, the Declaration Under 37 CFR 1.131 cannot get over the prior art of record.

Applicant's arguments filed 10/14/2004 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7-15, 17-27 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenkins et al (or hereinafter "Jenkins") (USP 2002/0188499).

As to claims 1 and 23, Jenkins teaches the claimed limitations:

"creating at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then

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store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

“assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field” as each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item. Each item is represented as a demand record (table 13, page 23);

“said assigning including: selecting said at least one rule database, said at least one rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field” as shown in table 3, the planning component 210 creates recommended shipments when source stock is not limited within the minimum allocation duration by using following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. In this table each demand record attribute field correlates to a rule database attribute field. For example,

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location field of demand record correlates to assign location field of component database. The above information indicates that at least one database component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the fulfillment 100 includes rules, which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55).

Jenkins does not explicitly teach the claimed limitation "querying said at least one rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; based upon said querying, updating data in said demand record priority field with data from said corresponding rule database priority field". However, Jenkins teaches the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teaches modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item

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includes priority file and Effi. Date field. When system modifies supply item, the system has included a query to modify (fig. 1, page 27, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field; and modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100 to allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item in order to adjust operations for meeting existing items or order commitments, provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product.

As to claims 2, 12 and 24, Jenkins teaches the claimed limitation "wherein said data in said corresponding rule database attribute field contains an explicit value operable for specifying a priority to be given to a demand record" as (table 13, page 23; (table 3, page 23, lines 39-40; page 24, lines 7-56).

As to claims 3, 13 and 25, Jenkins does not teach explicitly the claimed limitation "wherein said data in said corresponding rule database attribute field contains a

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hierarchy value and operable for specifying a priority to be given to a hierarchy level defined with said rule database attribute field; wherein said match occurs if said data in said demand record attribute field is contained within said hierarchy value" as the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item meets match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkin's teaching of allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item in order to avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claims 4, 14 and 26, Jenkins teaches the claimed limitation "wherein said data in said demand record attribute field is not used in said matching" as (page 12, lines 45-61), "wherein said data in said corresponding rule database attribute field contains a wildcard value operable for specifying a default priority value to be given to a hierarchy level defined with said rule database attribute field" as (page 19, col. Left, lines 20-50).

As to claims 5, 15 and 27, Jenkins teaches the claimed limitation "wherein said demand record attribute field includes due date, customer, and demand type" as each item attributes includes shipping date and demand type and customer (page 23, col. Right, lines 15-60).

As to claims 7, 17 and 29, Jenkins teaches the claimed limitation updating said at least one record in said at least one rule database" as the user sets up the database 600 and specify properties for the material allocation component 500 process, whenever the user uses the material allocation component. Each time a user sets up the database 600, it means that the user updates database 600 (page, 25, lines 51-60).

As to claims 8, 18 and 30, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing a hierarchy level" as a hard expiration date is used with products that have a limited shelf life based on a date rather than a duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44).

As to claims 9, and 31, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing said explicit level" as each SKU in the demand/supply tree based on the information in the database 600. A hard expiration date is used with products that have a limited shelf life based on a date rather than

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duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44; page 26, lines 40-55).

As to claim 31, Jenkins teaches the claimed limitation "creating said hierarchy value, said hierarchy value containing an explicit level" as each SKU in the demand/supply tree based on the information in the database 600. A hard expiration date is used with products that have a limited shelf life based on a date rather than duration. A calendar includes dates from 1/2000 to 12/200. This information shows that the system creates a hierarchy value (page 7, col. Right, lines 37-44; page 26, lines 40-55).

As to claims 10 and 32, Jenkins teaches the claimed limitations:

"creating at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule

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database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

“assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field” Jenkins teaches each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item. Each item is represented as a demand record (table 13, page 23);

“selecting said at least one rule database, said at least one rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field” as shown in table 3, the planning component 210 creates recommended shipments when source stock is not limited within the minimum allocation duration by using following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. In this table each demand record attribute field correlates to a rule database attribute field. For example, location field of demand record correlates to assign location field of component database. The above information indicates that at least one database component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the fulfillment 100 includes rules, which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority

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field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55; page 5, col. Right, lines 31-38);

"said matching comprising: querying said at least one rule database for an explicitly data match" as if the planning component 210 can find inventory that matches the expiration date of an in-transit and is available on or before the in-transit is scheduled to ship, then it draws from this inventory to meet the requirement. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. The above information shows that the system queries inventory or items in database for an explicitly data match. Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21, col. Left, lines 53-58, col. Right, lines 25-30);

Jenkins does not explicitly teach the claimed limitation "querying said at least one rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; if no said explicit data match exists querying said at least one rule database for a hierarchy value match; if no said explicit data match or said hierarchy value data match exists querying said at least one rule database for a wildcard match; based upon said querying, updating data in said demand record priority field with data from said corresponding rule database priority field".

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic

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has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Effective. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teaches if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in transit and is available on or before the in transit is scheduled to ship. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. An expiration date is used with products that have a limited shelf life based on a date rather than duration. An example of this type of product is a printed calendar. Since a calendar that includes dates from 1/2000 to 12/2000, value of expiration date is a hierarchy value. The above information shows that the system matches expiration date of inventory with the expiration date of an in transit for a hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-30; page 7, col. Right, lines 37-44). In addition, Jenkins teaches modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27; col. Right, lines 24-40, page 7, col. Right, lines 24-25).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when

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substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item, substituting item that meets the demand of primary item and if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in-transit and is available on or before the in-transit is scheduled to ship; modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100 in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claim 11, Jenkins teaches the claimed limitations:

"a storage device storing master planning priority assignment data" as fulfillment server stores material planning (fig. 1A-1B, page 2, col. Right, lines 1-34);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has

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included a storage device to store a SKU's inventory. The system 100 is represented as a host system (page 5, col. Right, lines 30-33);

"said host system implementing a process comprising: creating at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field" Jenkins teaches each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item. Each item is represented as a demand record (table 13, page 23);

"said assigning including: selecting said at least one rule database" as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a forward coverage component, it checks the template. If the SKU is assigned to a template, the system finds the rows in the data in the database 600 that apply to the

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specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

“said at least one rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field” as shown in table 3, the planning component 210 creates recommended shipments when source stock is not limited within the minimum allocation duration by using following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. In this table each demand record attribute field correlates to a rule database attribute field. For example, location field of demand record correlates to assign location field of component database. The above information indicates that at least one database component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the fulfillment 100 includes rules, which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55).

Jenkins does not explicitly teach the claimed limitation “querying said at least one rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; based

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upon said querying, updating data in said demand record priority field with data from said corresponding rule database priority field”.

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Eff. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item meets match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-56). Jenkins also teach modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item; modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100 in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claims 22, Jenkins teaches the claimed limitations:

"at least one rule database" as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

"a storage device storing master planning priority assignment data associated with said at least one rule database" as fulfillment server stores material planning (fig. 1A-1B; page 2, col. Right, lines 1-35);

"a user system" as the user can manipulate those inventory components by changing database values that affect the forecast or plan, the opening an update model or the planning component 210. This information shows that the system includes a user system to allow the user can to manipulate those inventory (page 5, col. Right, lines 32-33);

"and a host system in communication with said storage device and said user systems" as the system 100 allows a user to see how the components of a SKU's

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inventory are affected by changes to its forecast or distribution plan: average cycle stock, average stock and safety stock. This information shows that the system has included a storage device to store a SKU's inventory. The system 100 is represented as a host system (page 5, col. Right, lines 30-33);

“said host system implementing a process comprising: creating at least one rule database” as the planning component 210 can recommend shipments in one of two modes: either unconstrained or constrained. For unconstrained mode, the user needs to define sourcing shipping quantities and then store this data in the database 600. Otherwise, for constrained mode, the user sets the following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. The created components database in the planning component 210 is represented as one rule database or the data in the database 600 is represented as one rule database (page 11, col. Left, lines 32-52);

“assigning a priority to a demand record, said demand record containing a demand record attribute field and a demand record priority field” Jenkins teaches each item has priority field including the value of the field and the value of draw quantity field. For example, the first item has priority value 1, and draw quantity 1.0. The above information shows that the system assigns a priority value to each item. Each item is represented as a demand record (table 13, page 23);

“said assigning including: selecting said at least one rule database” as when system 100 calculates safety stock for a SKU that is using a safety stock rule with a

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forward coverage component, it checks the template. If the SKU is assigned to a template, the system finds the rows in the data in the database 600 that apply to the specified template. The above information shows that the system assigns and identify rule for database 600 (page 5, col. Right, lines 31-38),

“said at least one rule database including at least one record, a rule database attribute field that correlates to said demand record attribute field, and a rule database priority field” as shown in table 3, the planning component 210 creates recommended shipments when source stock is not limited within the minimum allocation duration by using following database components: sourcing, assign allocation, recommended shipments, and arrival calendars, set stock available duration and minimum allocation duration, assign location priorities, assign allocation strategies, and set push mode. In this table each demand record attribute field correlates to a rule database attribute field. For example, location field of demand record correlates to assign location field of component database. The above information indicates that at least one database component is selected (page 11, col. Left, lines 32-52; page 13, col. Left, lines 22-30). Also, the fulfillment 100 includes rules, which are assigned to each SKU in database 600. The database 600 has a list of SKU's, a minimum safety level for each SKU at each location field, demand type priority field. Each field in the fulfillment 100 corresponds to each item location field and demand type priority field (page 2, lines 1-25; page 17, lines 22-67; page 21-55);

“said matching comprising: querying said at least one rule database for an explicitly data match” as if the planning component 210 can find inventory that matches

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the expiration date of an in-transit and is available on or before the in-transit is scheduled to ship, then it draws from this inventory to meet the requirement. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. The above information shows that the system queries inventory or items in database for an explicitly data match. Effective data 1/5 is represented as explicitly data (page 6, col. Right, table 2, page 21, col. Left, lines 53-58, col. Right, lines 25-30).

Jenkins does not explicitly teach the claimed limitation “query said at least one rule database for a corresponding rule database record that contains data in said rule database attribute field that matches data in said demand record attribute field; if no said explicit data match exists querying said at least one rule database for a hierarchy value match; and if no said explicit data match or said hierarchy value data match exists querying said at least one rule database for a wildcard match; based upon said querying, and updating data in said demand record priority field with data from said corresponding rule database priority field”.

However, Jenkins teaches that the user can specify potential alternates, or substitutes, for an item. The system 100 allows the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item. The primary demand includes Effective. Date, priority field. Thus, when a substitute item meets the demand of primary item, it means that fields of substitute item match the fields of primary item. This information shows that the system queries the system 100 to retrieve substitutes items (table 3, page 23, lines 39-40; page 24, lines 7-

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56). Jenkins also teaches if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in-transit and is available on or before the in-transit is scheduled to ship. The inventory includes items in database 600. Each item contains source, destination, effective date, i.e., item cookie has effective date 1/5. An expiration date is used with products that have a limited shelf life based on a date rather than duration. An example of this type of product is a printed calendar. Since a calendar that includes dates from 1/2000 to 12/2000, value of expiration date is a hierarchy value. The above information shows that the system matches expiration date of inventory with the expiration date of an in transit for a hierarchy value match (page 21, col. Right, lines 56-59, col. Left, lines 25-30; page 7, col. Right, lines 37-44). In addition, Jenkins teaches modifying supply item to fulfill the order with the alternative item based on priority field of fulfillment 100. Supply item includes priority file and Effi. Date field; thus, when the system modifies supply item, the system has to modify priority field of supply item too (fig. 1, page 27, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Jenkins teaching of allowing the user to track when substitution logic has recommended shipments of substitute items in a database to meet the demand of primary item and substituting item that meets the demand of primary item and if the planning component cannot find an appropriate match, it must use inventory that expires later than the expiration date on the in transit and is available on or before the in transit is scheduled to ship; modifying supply item to fulfill the order

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with the alternative item based on priority field of fulfillment 100 in order to provide the user with real-time network visibility of planned shipments, in-transits, available inventory, and expiring product and avoid supply conflicts such as unexpected delays in production, by rerouting and reapplying resources.

As to claim 20, Jenkins teaches the claimed limitation "a network providing communication between the host system and the user system" as (page 1, col. Right, lines 31-35).

As to claim 21, Jenkins teaches the claimed limitation "a network providing communication between the host system and the user system" as (fig. 1, page 1, col. Right, lines 31-35).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Busey et al (US 6377944).

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner
Art Unit 2162
1/3/2005

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